

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT ROYCE BYFORD,

Petitioner,

V.

WILLIAM REUBART, et al.

Respondents.

Case No. 3:11-cv-00112-JCM-CSD

**ORDER GRANTING
MOTION FOR EXTENSION OF TIME
(ECF NO. 150)**

WILLIAM REUBART, et al.

Respondents.

In this capital habeas corpus action, after a 180-day initial period, a 90-day extension of time, two 45-day extensions of time and a 35-day extension of time, Respondents had until September 26, 2022, to file an answer, responding to the remaining claims in Petitioner Robert Royce Byford's third amended habeas petition.

See Order entered August 27, 2021 (ECF No. 135) (180 days for answer); Order entered March 1, 2022 (ECF No. 140) (90-day extension); Order entered May 27, 2022 (ECF No. 143) (45-day extension); Order entered July 15, 2022 (ECF No. 146) (45-day extension); Order entered August 25, 2022 (ECF No. 149) (35-day extension of time).

On September 23, 2022, Respondents filed a motion for extension of time (ECF No. 150), requesting a further 60-day extension of time, to November 25, 2022. Respondents' counsel states that the extension of time is necessary because of her obligations in other cases. Respondents' counsel states that Petitioner does not oppose the motion for extension of time.

The Court finds that Respondents' motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for an extension of time. The Court is mindful of counsel's apparently very heavy caseload

1 and will extend this deadline to December 30 instead of November 25, 2022 (95 days
2 instead of the requested 60). The Court does this with the expectation that this will be
3 the last request for extension of this deadline. *The Court will not be inclined to further*
4 *extend this deadline absent extraordinary circumstances.*

5 **IT IS THEREFORE ORDERED** that Respondents' Motion for Enlargement of
6 Time (ECF No. 150) is **GRANTED**. Respondents will have until and including
7 December 30, 2022, to file their answer. Petitioner will then have 180 days to file his
8 reply. In all other respects, the schedule for further proceedings set forth in the order
9 entered October 24, 2019 (ECF No. 88) will remain in effect.

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11 DATED September 26, 2022.

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14 JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE

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